

## Decisions, decicisions



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July 7, 2014

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The next issue of Capitol Journal will be available on July 14th.

### Top Story

*It has been a very busy year in statehouses across the nation, with some very big states still in session.*

## SNCJ Spotlight

### Common Core, revenge porn among states' hottest issues

Every December the SNCJ staff takes a crack at predicting the hot issues for the following legislative year. Over the next two weeks we take a look at a number of those topics that actually have gained the most traction with lawmakers so far. Some we correctly called, while others we did not. Meanwhile, seven states remain in regular session, including California, New Jersey, Ohio and Pennsylvania.



By Rich Ehsen

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**Common Core:** The brainchild of the National Governors Association and the Council of Chief State School Officers, the Common Core standards were once hailed as a bipartisan effort to ensure consistent education standards across the states, and to further ensure high school graduates were ready to tackle either the job market or college. Forty-five states and the District of Columbia originally adopted the standards for both math and English upon their introduction in 2010, while Minnesota adopted just the English standards. But growing opposition, mostly among conservatives, has led three states — Indiana, South Carolina and Oklahoma — to legislatively opt out of the program this year. Louisiana Gov. Bobby Jindal (R) has issued an executive order seeking to make the Pelican State the fourth, but it is unclear if he has the legal authority to do so without the approval of lawmakers, who have so far been unwilling to give it. In all, over 100 bills have been introduced this year across more than two dozen states to alter or revoke participation in Common Core.

**Minimum wage:** Thirty eight states have considered minimum wage bills this year, with nine and the District of Columbia adopting measures to hike their wage incrementally over the next few years. Similar legislation is currently awaiting action in Rhode Island, where Gov. Lincoln Chafee (D) is expected to sign SB 2249 into law. Most of the approved measures max out at around \$10 per hour, though Massachusetts Gov. Deval Patrick (D) signed legislation on June 26 that would give the Bay State the highest minimum in the country at \$11 per hour, beginning in 2017. The D.C. standard is even higher, \$11.50, and goes into effect a year earlier. Both, however, pale in comparison to the city of Seattle, which adopted a \$15 per hour minimum, the highest in the nation.

**Fracking:** Twenty nine states have considered hydraulic fracturing bills in 2014. The most notable were North Carolina's SB 786, which authorized use of the controversial oil and natural gas extraction process, and California's SB 1132, which unsuccessfully sought to impose a moratorium on fracking in the Golden State. But fracking supporters are facing a new challenge: Regulators in Oklahoma, Texas and Iowa are pondering imposing new rules on the disposal of fracking-created wastewater after those states noted an astounding increase in seismic activity in areas around fracking wastewater injection wells, which use extremely high pressure to inject wastewater thousands of feet into the ground. And on June 30, the New York Court of Appeals ruled that Empire State cities have the legal power to block fracking within their own borders.

**E-cigarettes:** Supporters of electronic cigarettes — vaporizers that allow users to ingest nicotine and other chemicals in a liquid solution — say they are a viable alternative to traditional tobacco products that could help smokers eventually kick the habit entirely. But opponents counter that there is a dearth of data showing

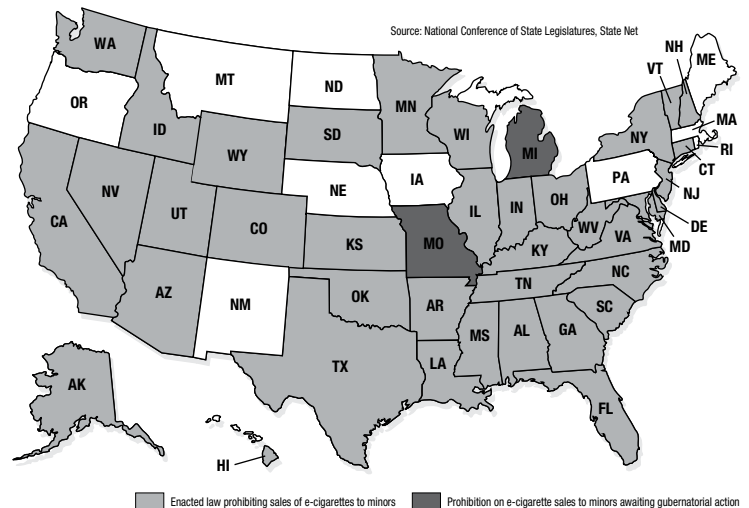
e-cigarettes' long term health impact and want the federal government to regulate them the same way it does other tobacco products. The U.S. Food and Drug Administration has announced its intention to do so, but that was in 2011 and to date it has not actually released any such regulations. Absent federal action, 38 states have adopted rules barring the sale of e-cigarettes and related vaporizer products to minors. Eight of those have come on board this year: Kentucky, Delaware, Florida, Louisiana, Ohio, Oklahoma, South Dakota and Virginia. Similar legislation awaits gubernatorial action in Michigan and Missouri.

#### **Heroin/opiate countermeasures:**

Faced with a resurgence of heroin and other opiate abuse, particularly in the Northeast, a growing number of states have taken a two-pronged approach to combatting the problem. First, 19 and the District of Columbia have adopted so-called "Good Samaritan" laws that, under most conditions, grant criminal and civil liability to people who seek help for an overdose victim. At least three states, Wisconsin, Georgia and Maryland, came on board this year. The second tack states have taken is broadly expanding the use of the anti-overdose drug naloxone by authorizing an opiate user's family and others to obtain and administer the antidote to a person in overdose. Many measures also provide more emergency responders with naloxone. Twenty five states and DC have endorsed such measures, with Wisconsin, Maine, Ohio, Delaware and Connecticut adopting them this year. The New York Legislature recently endorsed an 11-bill package aimed at stemming opiate abuse, including a bill that makes naloxone available to first responders. (The Empire State already has a Good Samaritan law.) Gov. Andrew Cuomo (D) signed the bills on June 23<sup>rd</sup>.

**Patent infringement:** Patent law has long been the sole purview of the federal government. But growing attention on the issue of so-called "patent trolls" — people or companies that file often-questionable legal claims against businesses they say are violating their patent rights — has got states into the game as well. In 2013,

## **Bird's eye view**



### **Most states restrict e-cigarette sales to minors**

As a result of a flurry of legislative action in recent years, 38 states now have laws prohibiting the sale of electronic cigarettes or vaporizing alternative tobacco products to minors, according to the National Conference of State Legislatures. Such restrictions were signed into law just last month in Delaware, Florida and West Virginia. And similar measures await gubernatorial action in Missouri and Michigan.



Vermont became the first to ban such “bad faith” patent infringement lawsuits. The dam broke in 2014, with 12 states adopting similar bills. Two more, Illinois (SB 3405) and New Hampshire (SB 303), have bills awaiting gubernatorial action. However, identical bills also failed in almost a dozen states.

**Revenge porn:** Almost 30 states have considered so-called “revenge porn” measures this year to criminalize the act of placing nude or sexual images or videos on the Internet without the consent of the person shown. According to State Net, at least nine states — Colorado, Georgia, Idaho, Hawaii, Wisconsin, Maryland, Utah, Virginia and Arizona — have adopted those proposals. Pennsylvania (HB 2107) and New York (SB 5946a) have pending bills that have cleared at least one chamber.

**Tesla:** At the beginning of the year, the ability of California-based electric carmaker Tesla to sell cars directly to consumers — as opposed to via dealerships the way other cars are sold — was an issue predominantly of concern only to its small but well-heeled and tech savvy clientele. That changed in March when the New Jersey Motor Vehicle Commission adopted rules that seemed intent on kicking the upstart company out of the Garden State for good. That sparked a nasty public war of words between Tesla founder and CEO Elon Musk and Gov. Chris Christie (R), with Musk claiming the governor had assured him the state would work out a deal to allow Tesla to keep its two stores there open and Christie denying he had said any such thing. Christie also blamed lawmakers for not addressing the problem legislatively. The feud also inspired a handful of states — Washington, New York and Ohio — to work out deals to allow Tesla to keep selling in their states. But Musk wasn’t done peaking lawmakers’ interest. He also announced plans to build a massive battery plant to supply his cars with the energy they need to operate. He listed four states — Arizona, Texas, Nevada and New Mexico — as finalists for the plant’s location. The quartet was ironic on two fronts: it left out California, which has given the company millions of dollars in incentives to help it get off the ground, and two of the finalists, Arizona and Texas, also bar Tesla from selling cars within their borders. Since then, California Gov. Jerry Brown (D) and lawmakers have gone into overdrive, working on legislation to offer Tesla another package of tax breaks and investment and hiring credits it hopes will convince Musk to stay in the Golden State.

**Medicaid expansion:** Two years after the U.S. Supreme Court ruled that states cannot be compelled under the Affordable Care Act to expand their Medicaid

## The week in session

**States in Regular Session:** CA, DC, MA, NC, NJ, OH, PA, US

**States in Special Session:** AR “a”, CA “b”, DE “c”, VA “a”

**States currently prefilng for 2015 Session:** KY, MT, WY

**States adjourned in 2014:** AK, AL, AR, AZ, AZ “a”, CA “a”, CO, CT, DE, DE “b”, FL, GA, HI, IA, ID, IL, IL “a”, IL “b”, IN, KS, KY, LA, MD, ME, MN, MO, MS, MS “a”, MS “b”, NE, NH, NM, OK, OR, PR “a”, PR “b”, RI, SC, SD, TN, UT, VA, VT, WA, WA “a”, WA “b”, WA “c”, WI, WI “c”, WV, WV “a”, WV “b”, WY

Letters indicate special/extraordinary sessions

— Compiled By DENA BLODGETT  
(session information current as of 6/30/2014)  
Source: State Net database

programs to cover adults at 138 percent of the federal poverty line, most have already determined whether they will do so voluntarily or not. Only one, New Hampshire, made that decision legislatively this year. According to the National Conference of State Legislatures and the Kaiser Family Foundation, 26 states and DC have now opted in, 18 have definitely opted out and five — Arkansas, Indiana, Iowa, Pennsylvania and Michigan — have proposed their own alternate plans that are still pending federal approval. In Virginia, lawmakers rejected an expansion proposal this session, but Gov. Terry McAuliffe (D), is said to be considering options to do so via an executive order.

**Cannabis oil:** New York Gov. Andrew Cuomo (D) signed his name last week to legislation authorizing the limited use of medical marijuana for critically ill residents, making the Empire state the 23<sup>rd</sup> since 1996 to do so. But a growing trend within the trend has been allowing the use of low-THC cannabis oil, predominantly to treat seizures and similar illnesses in children. According to State Net, this year Minnesota, Alabama, Kentucky, Wisconsin, Iowa, Florida, Mississippi, Tennessee, Utah and South Carolina have all adopted measures to allow the use of cannabis oil under specific conditions. Similar legislation in North Carolina (HB 1220) is awaiting approval from Gov. Pat McCrory (R), who has indicated he will sign it into law.

— By RICH EHISEN

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## Budget & taxes

**EARLY INTERNET GAMBLING REVENUES DISAPPOINTING:** Last year Delaware, Nevada and New Jersey became the first states in the nation to legalize Internet gambling. But so far, their online gambling revenues have been falling far short of projections.

New Jersey officials initially estimated that legalized Internet gambling would boost the state's fiscal 2014 tax revenues by \$180 million, a figure that was revised down to \$160 million by the time Gov. Chris Christie (R) signed the state budget last June. But by the end of May — with just a month to go in the 2014 fiscal year — the state had only taken in \$9.3 million in online gaming revenues. And the revenues in April and May were actually lower than those in March, meaning they aren't even trending upward.

"Clearly, the results so far have not met our expectations," the state's treasurer, Andrew Sidamon-Eristoff, told lawmakers earlier this year

Officials in Delaware, which has a much smaller population than New Jersey, projected online gambling would only generate \$7.5 million in additional revenues in FY 2014. But Internet gambling hasn't made any net increase in the state's revenues

Nevada officials chose not to make any revenue predictions regarding online gambling.

"We just didn't feel that it would be wise to put out a number," said Michael Lawton, a senior research analyst with Nevada's State Gaming Control Board. "It was just too much unknown."

The state's take from online poker, which is the only form of Internet gaming it legalized, was a modest \$700,000 from May 2013 through April of this year

The states' officials have blamed the lackluster revenues on technology glitches, payment processing issues and startup costs, such as for software design and data servers to host the gambling. Some also say legalized Internet gambling will simply take some time to catch on.

"This is an industry that requires consumer education," said Chris Grove, editor of the Online Poker Report. "It exists in a weird gray area because it was perceived to be illegal for so long."

However, Grove added that New Jersey's revenue projections were overly optimistic from the start, "driven far more by political need and budgetary magic math than by sober, rational analysis of the market."

But New Jersey's Sidamon-Eristoff told lawmakers that despite lingering challenges with Internet gambling, he's still "bullish over the medium and long term."

"We have seen enormous and growing interest in this form of gaming."  
(STATELINE.ORG)

**DESPITE LOW BOND RATES GOVERNMENTS DECLINE TO BORROW:** According to the American Society of Civil Engineers, state and local governments would have to spend about \$3.6 trillion through 2020 to get their crumbling infrastructures back into decent shape. That figure is about \$1.6 trillion more than states and localities are expected to spend, however. And they've actually been spending less on construction every year since 2009, resulting in a \$39-billion, or 13-percent, decline over that period, U.S. Commerce Department data shows. Public infrastructure investment as a percentage of total U.S. economic spending is now at its lowest level since at least 1947.

"Infrastructure is one of the only ways that states and local governments directly affect commerce in the United States — the trucks have to use the roads and bridges, the boats have to use the ports," said Daniel White, an economist at Moody's Analytics. "If we continue to let them deteriorate, it could have disastrous consequences."

Despite the dire state of affairs, state and local governments aren't borrowing money to pay for construction projects — even with borrowing costs at their lowest level in almost four decades. Bond issuance through mid-June is down 20 percent from

last year and down 30 percent from 2010, according to data compiled by Bloomberg. Meanwhile, corporations like Apple Inc. and Verizon Communications Inc. have been borrowing at a record pace, selling \$648 billion of dollar-denominated debt this year.

Governments haven't forgotten — or completely recovered from — the worst financial crisis since the Great Depression.

"There's a psychological hangover," said Uri Monson, chief financial officer for Montgomery County, Pennsylvania. "We're not going to go out and borrow unless we absolutely have to."

Investors approve of the austerity kick.

"There's actually some sanity at senior levels of government," said Thomas Metzold, co-director of municipal bond investments at Eaton Vance Management in Boston. "People are saying just because times are good again, we still have to think about what's going to happen five years from now." (BLOOMBERG)

### **CITIES AND STATES LOOKING TO BOOST ECONOMIES WITH BIKE**

**LANES:** City and state leaders across the country have been making bike lanes and cycling programs a priority issue lately. Evidently their hope is that creating a bike-friendly image will help them attract the 20- and 30-somethings known as "millenials," along with their creative and economic energy.

### **"States and cities are competing for the most mobile generation ever."**

"States and cities are competing for the most mobile generation ever and so the job creators and the innovators are really pushing for these amenities," said Bill Nesper, who leads the "Bicycle Friendly America" program at the League of American Bicyclists.

Less than 1 percent of all American workers commute by bike. But the rate is higher in cities like Washington, D.C (4.1 percent), where residential neighborhoods are near workplaces. And 16- to 34-year-olds, who comprise a sizeable portion of the population of those cities, have shown more interest in alternatives to cars than previous generations.

Portland, Oregon may be the poster city for bike-friendliness. Relying on an aggressive program of protected bike lanes and other initiatives, such as bike-sensitive traffic signals, the city boosted its rate of bike commuters from 1 percent in 1990 to 5.8 percent in 2009, according to a 2011 study by John Pucher, a professor at Rutgers University's Bloustein School of Planning and Public Policy.

"Portland's comprehensive package of cycling policies has succeeded in raising cycling levels six-fold and provides an example that other North American cities can follow," Pucher said. (STATELINE.ORG)

**BUDGETS IN BRIEF: NEW JERSEY** Gov. Christie (R) signed the \$32.5 billion budget passed by the state's Democrat-controlled Legislature, after using his line-item veto to remove over \$1 billion in appropriations, including a pension

fund payment that was the subject of a court battle. Christie also delayed property tax relief until next year (NORTHJERSEY.COM). • **PENNSYLVANIA** Gov. Tom Corbett (R) refused to sign the no-tax budget his state's GOP-controlled General Assembly passed just 90 minutes before the state budget deadline last week because it failed to address the issue of pension reform (PHILLY.COM). • An Oklahoma City attorney has filed a lawsuit in **OKLAHOMA's** Supreme Court seeking to block a new state law setting the tax on oil and natural gas production at 2 percent for the first 36 months. Attorney Jerry Fent, who has successfully sued the state in the past, alleges the Legislature violated Constitutional provisions prohibiting the passage of revenue bills in the last five days of the legislative session, requiring such bills to receive a three-fourths vote in the House and Senate and prohibiting them from taking effect until 90 days after the legislative session adjourns (OKLAHOMAN [OKLAHOMA CITY]). • Unable to convince state lawmakers to raise his state's gas tax by ten cents, **DELAWARE** Gov. Jack Markell (D) intends to raise weekend tolls by \$1 on Route 1 to help fund road projects (WDDE 91.1 FM [DOVER], STATE NET). • Six months after approving a multimillion-dollar tax credit for rehabilitating historic buildings, **WISCONSIN** Gov. Scott Walker (R) is halting the tax break due to concerns about its potential impact on the state budget (MILWAUKEE JOURNAL SENTINEL). • The over 18,000 students who dropped out of **ARIZONA** high schools this year will end up costing the state \$7.6 billion over their lifetimes, according to a new report commissioned by the state's mayors. The report said high school dropouts are less likely to find jobs or earn a living wage, more likely to require public assistance and more prone to poor health and criminal behavior than those who finish high school (AZCENTRAL.COM).

— Compiled by KOREY CLARK

## Upcoming stories

Here are some of the topics you may see covered in upcoming issues of the *State Net Capitol Journal*:

- **Mid-year reviews**
- **Voter ID**
- **Student loan debt**

# Politics & leadership

**NY SENATE'S BREAKAWAY DEMS RETURNING TO FOLD:** Since the 2012 elections, the New York state Senate has been run by a coalition made up of the chamber's 29 Republicans and a handful of Democrats who broke ranks with their party. But the five-member Independent Democratic Conference, led by Sen. Jeffrey D. Klein (D), announced last week it will align itself with the Democrats after the November election, potentially shifting the chamber to Democratic control.



New York City Mayor Bill de Blasio reportedly played a major role in brokering the reconciliation, motivated at least in part by Senate Republicans' opposition to his effort to raise taxes on the wealthy this year. Gov. Andrew Cuomo (D), who's generally had no qualms about working with Senate Republicans in the past, agreed to support Democratic efforts to take control of the chamber under pressure from liberal groups, which threatened to run their own candidate against him in the fall.

Klein and his fellow breakaway Democrats, likewise, faced the threat of primary challenges from more left-leaning candidates supported by allies of Mayor de Blasio.

For his part, Klein said he was proud of his work with the Republicans but that his group had been frustrated by the Republicans' failure to support many of their legislative goals, such as strengthening abortion rights and providing tuition aid to undocumented students.

"You take a step back, and you have to reassess what you accomplished," he said. "I think you celebrate your victories, but then at the same time, you have to think, 'What can we get done in the future?'"

Democratic control of the Senate isn't a certainty, however. With the chamber still so narrowly divided, Republicans could pick up enough seats in November to take control of it outright. (NEW YORK TIMES)

### **OH LAWMAKERS HIT JACKPOT WITH INTERNET SWEEPSTAKES**

**CAFE BILL:** Ohio lawmakers were among the biggest winners in the debate this year over the state's Internet sweepstakes cafes, which sell phone and Internet time that can be used to win prizes in slot-machine type games played on computer terminals. The casino industry poured \$423,000 into lawmakers' campaign coffers to pass HB 7 and thereby effectively kill the Internet cafes by limiting their prize payouts while cafe owners and their lobbyists anted up at least \$120,000 to defeat the measure. All told, lawmakers took in over \$1 million. The other big winners were the state's casinos, as HB 7 ultimately passed. (CLEVELAND.COM, STATE NET)

**POLITICS IN BRIEF:** Backers of a measure to fully legalize possession of marijuana in the District of Columbia (Initiative 71) have reportedly collected close to 60,000 signatures in support of the proposal. Only 22,600 are needed to qualify the measure for the November ballot (WASHINGTON POST). • The 10<sup>th</sup> Circuit Court of Appeals in Denver ruled that state bans on same-sex marriage are in violation of the U.S. Constitution. The ruling marked the first by an appeals court on the issue, but the court immediately stayed it pending an anticipated appeal to the U.S. Supreme Court (SALT LAKE TRIBUNE). • Democratic **SOUTH DAKOTA** gubernatorial nominee Susan Wismer has chosen former state Rep. Susy Blake to be her running mate in November, setting up an all-female top of the ticket (ARGUS LEADER).

### **In case you missed it**

With the federal government stalled, state lawmakers have galloped along, albeit in somewhat different directions, on issues ranging from abortion to the minimum wage.

In case you missed it, the story can be found on our Web site at

[http://www.statenet.com/capitol\\_journal/06-23-2014/html#snclj\\_spotlight](http://www.statenet.com/capitol_journal/06-23-2014/html#snclj_spotlight).

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# Governors

**L**EPAGE DENIES TIES TO EXTREMIST GROUP: Excerpts released last week from a soon-to-be-published book claim that Maine Gov. Paul LePage (R) met at least eight times last year with members of a group that advocated for arresting and executing Maine House Speaker Mark Eves and Senate President Justin Alfond. Posted on *Talking Points Memo*, the excerpt from “As Maine Went” links the group, Constitutional Coalition, to another group called Sovereign Citizens, an extremist organization the FBI considers to be domestic terrorists. According to

**“LePage (R) met at least eight times last year with members of a group that advocated for arresting and executing Maine House Speaker Mark Eves and Senate President Justin Alfond.”**

the book, Sovereign Citizens believes, among other things, the government wants to disarm the populace so it can undertake a Christian holocaust, that it runs mind-control operations and that it was behind events like the Boston Marathon bombing, the 9/11 terrorist attacks and the Sandy Hook school shootings. The group has also been linked to currency fraud and acts of violence in other states.

Author Mike Tipping — a liberal blogger affiliated with the progressive advocacy group

Maine People’s Alliance — based his accusations on emails, audio recordings obtained through Freedom of Information Act requests and interviews with people involved in the matter.

In a statement, a LePage spokesperson denied the governor’s meetings with Constitutional Coalition constitute an endorsement of their views. Press Secretary Adrienne Bennett said the governor has met with “hundreds of Mainers” since coming to office, “hearing thousands of ideas.” She added that “the governor meets also with lawmakers, including Sen. Alfond and Speaker Eves. Those meetings do not constitute agreement with their views, as well. Lawmakers and constituents do not speak for the governor.”

Bennett did not explain, however, why her boss had eight separate meetings with the men. Tipping, meanwhile, says LePage told the Coalition member he supported their views and he agreed with their interpretation of the state constitution, which they contend gives them the authority to arrest and hang Eves and Alfond as traitors.

LePage later vehemently refuted that himself, telling the *Bangor Daily News* that he only listened to the group’s concerns without expressing any opinions on them. “I listened and listened and listened,” LePage told the newspaper. “Some points they were making were reasonable and some were off-the-wall.”

Several Constitutional Coalition members confirmed last week they had met on many occasions with LePage, but they denied being affiliated with Sovereign

Citizens. Coalition member Phil Merletti, accused Tipper, who has openly supported Democratic gubernatorial candidate Mike Michaud, of trying to “destroy the governor.” (TALKING POINTS MEMO, BANGOR DAILY NEWS, PORTLAND PRESS HERALD, HUFFINGTON POST)

### **NIXON TAKES SHOT AT ENDING**

**BUSINESS BORDER WAR:** Missouri Gov. Jay Nixon (D) took a shot last week at ending a years-long war with Kansas over tax incentives used to steal away one another’s businesses. Nixon offered its western neighbor an olive branch, signing a bill (SB 635) that bars the Show Me State from offering incentives to businesses that relocate from one of four Kansas counties to any of four Missouri counties in the Kansas City area. The two states have long tried to one-up each other by offering companies on one side of the border taxpayer-funded economic development incentives to relocate across the state line, even though the relocations don’t actually create any new jobs. Nixon said using the incentive dollars that way “fail[s]to generate a meaningful return for taxpayers and weaken[s] the region’s ability to compete globally for jobs and investment.”

Nixon and lawmakers began discussing ways to end the practice last year. Lawmakers passed HB 635 in May and Nixon signed it last Tuesday. But there is a catch: it doesn’t go into effect unless Kansas Gov. Sam Brownback (R) agrees to a similar truce from his end, something he has so far declined to do. Kansas Commerce Secretary Pat George in fact said the Sunflower State has no plans to follow suit at this time, though he indicated he would be willing to discuss the issue.

“The problem of taking jobs that already exist and treating them as if they’re brand new occurs in both states – and so it will take action by both states in order to fix it,” Nixon said in a statement. “That’s why Senate Bill 635 is not a unilateral disarmament, but rather a commitment to taxpayers on both sides of the state line that Missouri is ready to stop using their hard-earned money subsidizing a war that neither side can win.” (KANSAS CITY STAR, TOPEKA CAPITAL-JOURNAL, MISSOURI GOVERNOR’S OFFICE, KMBZ.COM [KANSAS CITY])

**GOVERNORS IN BRIEF:** Legislative leaders in **MASSACHUSETTS** said they would work to amend a law that created buffer zones around the entrances to

## In the hopper

At any given time, State Net tracks tens of thousands of bills in all 50 states, the US Congress and the District of Columbia. Here’s a snapshot of what’s in the legislative works:

**Number of 2014 Prefiles last week: 0**

**Number of 2015 Prefiles last week: 324**

**Number of Intros last week: 885**

**Number of Enacted/Adopted last week: 1,085**

Number of 2014 Prefiles to date: 21,427

**Number of 2015 Prefiles to date: 831**

**Number of 2014 Intros to date: 79,542**

**Number of 2013 Session Enacted/Adopted overall to date: 40,747**

**Number of 2014 Session Enacted/Adopted overall to date: 23,529**

**Number of bills currently in State Net Database: 168,762**

— Compiled By DENA BLODGETT  
(measures current as of 6/30/2014)  
Source: State Net database

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• **OKLAHOMA** Gov. Mary Fallin (R) announced the Obama administration has granted the Sooner State a second one-year extension of the Insure Oklahoma program that provides health insurance for almost 19,000 working, low-income residents and approximately 4,280 small businesses (NEWS9.COM [OKLAHOMA CITY]). • **NORTH CAROLINA** Gov. Pat McCrory (R) signed legislation last week that will privatize many of the duties of the Tar Heel State agency that handles economic development. The bill, HB 1031, requires the state to contract with a private organization, the Economic Development Partnership of North Carolina, to privatize many of the North Carolina Commerce Department's functions related to recruitment and retention of jobs, international trade, marketing and travel and tourism (TRIANGLE BUSINESS JOURNAL [RALEIGH]).

— *Compiled by RICH EHISEN*

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**B** **BUSINESS:** The U.S. Supreme Court declines to hear a challenge to a **NEW JERSEY** law banning sports betting in the Garden State. The court did not issue a reason for its rejection ([NORTHJERSEY.COM](http://NORTHJERSEY.COM)). • Following that decision, the **NEW JERSEY** Assembly and Senate approve SB 2250, a bill that would allow sports betting through private entities at casinos and race tracks. Those wagering operations would not be regulated by the state. The measure moves to Gov. Chris Christie (R) for review ([STAR-LEDGER \[NEWARK\]](http://STAR-LEDGER[NEWARK])). • The **CALIFORNIA** Assembly gives final approval to AB 2075, which delays for five years a law that would ban the sale of alligator products in the Golden State. It moves to Gov. Jerry Brown (D) for review ([SACRAMENTO BEE](http://SACRAMENTO BEE)). • Still in **CALIFORNIA**, Gov. Brown signs AB 2130, which repeals a one-year-old law that requires chefs and bartenders to wear gloves and bars other food service workers from touching food with their bare hands ([LOS ANGELES TIMES](http://LOS ANGELES TIMES)). • Also in **CALIFORNIA**, Gov. Brown signs AB 129, legislation that legalizes the use of digital currencies like Bitcoin ([CNET.COM](http://CNET.COM)). • **FLORIDA** Gov. Rick Scott (R) signs SB 1524, which requires Sunshine State companies to take reasonable measures to protect and secure their customers' personal electronic data and requires them to notify individuals of data security breaches under most circumstances. The law goes into effect July 1 ([BUSINESSINSURANCE.COM](http://BUSINESSINSURANCE.COM)). • **MICHIGAN** Gov. Rick Snyder (R) signs SB 674, which bars business owners and operators from denying goods, services,

facilities, privileges, advantages or accommodations to a woman because she is breastfeeding a child (WOODRADIO.COM [GRAND RAPIDS]). • **MASSACHUSETTS** Gov. Deval Patrick (D) signs legislation raising the Bay State minimum wage incrementally to \$11 per hour by 2017. The first raise takes effect on Jan. 1, 2015 (BOSTON GLOBE).

**CRIME & PUNISHMENT:** **OHIO** Gov. John Kasich (R) signs HB 130, an anti-human trafficking bill that, among several things, raises the penalty for soliciting sex with a minor from a misdemeanor to a felony. The bill also bans sex ads depicting a minor; severs parental rights for people who traffic their children or others; and limits suggestive advertising for massages and related services (COLUMBUS DISPATCH). • **RHODE ISLAND** Gov. Lincoln Chafee (D) signs SB 2101, legislation that requires those arrested for most violent felonies to submit a DNA sample. The law goes into effect next January (GREENFIELD DAILY REPORTER). • **MICHIGAN** Gov. Rick Snyder (R) signs HB 5363, which bars Wolverine State residents from purchasing or possessing any amount of ephedrine or pseudoephedrine with the knowledge it will be used to manufacture methamphetamine. Violators face up to five years in jail and a \$5,000 fine (GREENFIELD REPORTER). • Also in **MICHIGAN**, Gov. Snyder signs HB 5445, which establishes time periods for sexual assault evidence collection kits to be retrieved by the investigating law enforcement agency, submitted to forensic laboratories and analyzed for forensic evidence (MICHIGAN GOVERNOR'S OFFICE).

**EDUCATION:** **ILLINOIS** Gov. Pat Quinn (D) signs HB 5707, legislation that requires Prairie State public schools to develop and implement anti-bullying policies. Those policies must include a definition of bullying, procedures for its reporting and parental notification, investigation of reports of bullying and actions that may be taken to address it. The law is effective immediately (ILLINOIS GOVERNOR'S OFFICE). • **LOUISIANA** Gov. Bobby Jindal (R) signs HB 1076, which bars the sharing of data about Pelican State school children without parental consent (NEW ORLEANS TIMES-PICAYUNE). • **CALIFORNIA** Gov. Jerry Brown (D) signs AB 215, which creates an expedited firing process for teachers accused of egregious conduct, including sexual abuse and certain drug crimes. Dismissals would also be decided by an administrative law judge rather than under the current system, which uses two teachers and a judge (SANTA ROSA PRESS DEMOCRAT).

## Upcoming elections

(7/4/2014 - 7/25/2014)

07/15/2014

### **Alabama Primary Runoff**

House Districts 12, 43, 46 and 72

Senate Districts 1, 17 and 22

Constitutional Officers: Secretary of State, Auditor

US House CD 6

### **North Carolina Primary Runoff**

US House (CD 5 and CD 6)

07/22/2014

### **Connecticut Special Election**

House District 122

### **Georgia Primary Runoff**

House Districts 1, 22, 54, 112 and 153

Senate Districts 8, 9, 16, 22 and 27

Constitutional Officers: Superintendent of Education

US House CD 1, CD 10, and CD 11

US Senate (Class 2)

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therapy that attempts to turn gay teens straight. The court ruled the law does not violate the free speech rights of counselors who want to use the now-banned therapy (SACRAMENTO BEE). • A federal court in **KENTUCKY** strikes down the Bluegrass State's ban on same-sex marriage, saying the law is unconstitutional. U.S. District Judge John H. Heyburn, who had earlier struck down the state's ban on recognizing gay marriages conducted in other states, stayed enforcement of his ruling pending appeals by state officials (ABCNEWS.COM).

**POTPOURRI: FLORIDA** Gov. Rick Scott (R) signs HB 225, which requires that children up to 5 years old be placed in a federally-approved child-safety seat or restraint when traveling in a car. The law currently only applies to children up to age 3 (WTVY.COM [DOTHAN]).

— Compiled by *RICH EHISEN*

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## Once around the statehouse lightly

**OUR LONG NATIONAL NIGHTMARE IS OVER:** Fried squid — better known as calamari to the foodies among us — has finally been named official appetizer for the great state of Rhode Island. As the *Providence Journal* reports, it took two years and lots of cajoling, mostly from Rep. Joseph McNamara, the bill's sponsor in the House both this year and last, but justice has been served...piping hot and with a side of tangy dipping sauce to boot. With Gov. Lincoln Chafee having inked his name to the measure last Friday, we can now turn our full attention to efforts in New York to make yogurt the Empire State's official state snack. If that isn't tasty enough for you, there's always legislation stringing along in New Jersey that would make saltwater taffy the Garden State's official candy.

**GOVERNOR CLOONEY:** In what should come as a surprise to absolutely nobody, California may soon be set to have another major Hollywood movie star take a run at the governor's office. Yes, as reported in London's always trustworthy *Daily Mirror*, movie star George Clooney is considering following in the footsteps of Ronald Reagan and Arnold Schwarzenegger, ostensibly in 2018. Like the Governor, Clooney has no previous experience in elected office, though he has been a well-known human rights activist for many years. One can only imagine the grinding of teeth going on as we speak in the offices of Lt. Gov. Gavin Newsom, Attorney General Kamala Harris and other prominent Golden State Dems who so openly lust

to be the top dog in Sacramento. Clooney, meanwhile, has neither confirmed nor denied the report.

**GOVERNOR F-BOMB:** If Clooney does end up becoming California's governor, he'll have plenty of examples of what not to do just from the collected goofs made by his own predecessors. But there are others as well. Take Colorado Gov. John Hickenlooper, for instance. The gov was recently addressing a group of Centennial State sheriffs, where he apologized to them for not getting together with them earlier to explain his support for gun control legislation they opposed. But that wasn't enough for one sheriff, whose little feelers were apparently hurt enough that he felt compelled to press the issue further and further, until Hickenlooper said, "What the f---? I apologized!" If the lawmen weren't traumatized before, they sure were then. A spokesperson for the governor later said his boss meant the comment to be taken in jest. Uh, huh.

## **"What the f---? I apologized!"**

**MOVIE AND A BREW:** As if we didn't already have enough distractions in movie theaters from idiots with their cell phones, Delaware is about to add booze to the equation as well. As *Newsworks* reports, First State lawmakers recently approved a bill that allows large movie houses to sell beer and wine to their customers. In theory, patrons will be limited to just two drinks in any single evening of viewing. Ushers would be responsible for both ensuring hooch-loving patrons are of legal age to drink and are not abusing the two-drink limit along the way. Now if only they would show the same effort to get people to hang up their phones and watch the darned movie, already.

— By *RICH EHISEN*





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